

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEAN MARC VAN DEN HEUVEL,

Plaintiff,

v.

EL DORADO COUNTY JUDICIAL
COURT SEIZURES, et al.,

Defendants.

No. 2:20-cv-1173-JAM-CKD PS

ORDER

(ECF No. 6)

On October 5, 2020, the magistrate judge filed findings and recommendations (ECF No. 6), which were served on plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. On October 23, 2020, plaintiff filed untimely objections to the findings and recommendations (ECF No. 7),¹ which have nonetheless been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore

¹ The document docketed as plaintiff's objections bears the present case number but is captioned as "Objections to Judge Nunley Findings, Dated August 6, 2020" and shows a different set of defendants. However, plaintiff attaches the magistrate judge's October 5, 2020 findings and recommendations in this case, and the substance of the objections relates to the same judicial immunity issue addressed therein.

1 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981); see also Dawson v. Marshall, 561 F.3d
2 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection
3 has been made, the court assumes its correctness and decides the matter on the applicable law.
4 See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's
5 conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d
6 452, 454 (9th Cir. 1983).

7 The court has reviewed the applicable legal standards and, good cause appearing,
8 concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,
9 IT IS HEREBY ORDERED that:

- 10 1. The findings and recommendations (ECF No. 6) are ADOPTED IN FULL;
- 11 2. Plaintiff's complaint (ECF No. 1) is DISMISSED without leave to amend; and
- 12 3. The Clerk of Court is directed to close this case.

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14 DATED: November 10, 2020

/s/ John A. Mendez

15 THE HONORABLE JOHN A. MENDEZ
16 UNITED STATES DISTRICT COURT JUDGE
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